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PATRIOT SCIENTIFIC CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ACER, INC., ACER AMERICA
CORPORATION and GATEWAY, INC.,

Plaintiff,

v.

TECHNOLOGY PROPERTIES
LIMITED, PATRIOT SCIENTIFIC
CORPORATION, and ALLIACENSE
LIMITED,

Defendants.

Case No. 5:08-cv-00877 JF

**DECLARATION OF MIKE DAVIS IN
SUPPORT OF MOTION TO DISMISS AND
TO TRANSFER**

Date: August 1, 2008
Time: 9:00 a.m.
Dept: Courtroom 3, 5th Floor
Before: Honorable Jeremy Fogel

I, Mike Davis, declare and state as follows:

1. I am Senior Vice President of Licensing for Alliacense. I have held this position at Alliacense for the past 3 ½ years.


2. In carrying out my responsibilities as Senior Vice President of Licensing, I was responsible for and either negotiated or oversaw the negotiations for potential technology licenses with Acer, Inc. I spoke only with employees of Acer, Inc. based in Taiwan. These employees included BJ Lin, Deputy General Counsel, Ares Yang, Patent Director of Legal Unit, Kate Ci Shang, an attorney, Ellen Yeh, a patent engineer, Morgan Lin, an associate patent engineer. Seven of the eight negotiations took place in Taiwan.

3. I did not speak with any person associated with Acer, Inc. that was based in the U.S. Further, I am not aware of any person associated with Alliacense that spoke with a person associated with Acer, Inc. who was based in the U.S.

4. In addition, I was responsible for and either negotiated or oversaw the negotiations for potential technology licenses with Gateway, Inc. I spoke only with employees of Gateway Inc. based in Irvine, California and North Sioux City, South Dakota. These employees included Mike Barry, Associated General Counsel, Gregory Call, Vice President and General Counsel, and Mike Flannery, Senior Director of Engineering.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 25th day of April, 2008, at Taipei, Taiwan ROC.

DATED: April 25, 2008

By: _____

Mike Davis

Senior Vice President of Licensing for
Alliacense